



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 14, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

51 May 14, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

AGREEMENT FOR CONTRACT SERVICES WITH CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

This action is to enter into an agreement with the California Department of Fish and Wildlife to provide one full-time equivalent Staff Environmental Scientist to provide regulatory compliance services exclusively to the Department of Public Works for a period of up to three years at a maximum total cost of \$550,000.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the Director of Public Works or her designee to enter into an agreement with the California Department of Fish and Wildlife to provide one full-time equivalent Staff Environmental Scientist to provide regulatory compliance services for various projects and activities related to the Department of Public Works' facilities for a one-year term with one, two-year extension option. The total cost of the services under this agreement is not to exceed \$550,000.
2. Authorize the Director of Public Works or her designee to execute the contract; to renew the contract for the additional renewal option and extension period if, in the opinion of the Director of Public Works or her designee, the California Department of Fish and Wildlife has successfully performed during the previous contract period and the services are still required; to approve and execute amendments to incorporate necessary changes within the scope of work; and to suspend work if, in the opinion of the Director of Public Works or her designee, it is in the best interest of the County of Los Angeles to do so.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to have the California Department of Fish and Wildlife (CDFW) provide to the Department of Public Works one full-time equivalent Staff Environmental Scientist from CDFW to work exclusively on environmental compliance for Public Works projects and activities. The recommended actions will enable Public Works to expedite compliance with the California Fish and Game Code and the California Environmental Quality Act (CEQA) in the planning and implementation of its projects and activities.

CDFW takes three to nine months to issue a standard Lake/Streambed Alteration Agreement. This duration can be longer for environmentally complex projects. CDFW staffing levels sometimes renders the agency unable to review Notices of Preparations or draft CEQA documents during the prescribed comment periods. Additionally the reviewer of CEQA documents is not the same individual processing the Lake/Streambed Alteration Agreements, and conflicting opinions come from CDFW staff which prolongs negotiations, creates delays, increases project costs, and may add project changes or mitigation that the CEQA documents did not originally cover.

The agreement will provide one full-time equivalent Staff Environmental Scientist from CDFW to provide the following services to Public Works projects: Lake/Streambed Alteration Agreement processing; review of CEQA documents; attendance at Public Works' public meetings; review of Lake/Streambed Alteration Agreement mitigation and monitoring plans; California Endangered Species Act Take Permit processing; and attendant project site reviews and consultations with Public Works staff.

The agreement also provides for expedited processing timeframes (40 percent shorter than statutory timeframes); and will improve understanding at CDFW staff level of Public Works' projects and activities; provide consistency between CDFW's CEQA document comments and Lake/Streambed Alteration Agreement/California Endangered Species Act permit conditions; and provide for more effective Lake/Streambed Alteration Agreement/California Endangered Species Act permit compliance measures.

The cost of the agreement includes a Staff Environmental Scientist's salary and benefits and CDFW overhead. The average annual cost is currently estimated to range from \$170,000 to \$174,000. The costs are based on standard CDFW salaries and standard rates the State sets for other expenses and overhead. The total amount of the agreement shall not exceed \$550,000.

The term of the agreement will be for a period of one year commencing on the date of the Notice to Proceed for that agreement. The agreement will have one, two-year contract extension option to be exercised at the discretion of the Director of Public Works or her designee within the not-to-exceed amount listed above. Increases in salary will be based on standard CDFW salaries that are set by collective bargaining. Increases in operating expenses, including vehicle expenses, shall not exceed the increase or decrease in the United States Department of Labor, Bureau of Labor Statistics' All Urban Consumers Price Index for the Los Angeles-Riverside-Orange County Area (CPI) for the 12-month period preceding the agreement anniversary date. The not-to-exceed agreement amount of \$550,000 includes an eight percent contingency to anticipate increases in salary, benefits, overhead, and the CPI.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by the use of an agreement for contract services by Public Works to obtain expedited CDFW permit processing and more effective CDFW permit conditions in order to provide responsive, efficient, and high-quality public services.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The total cost of the services under the agreement shall not exceed an aggregate total of \$550,000 and will be financed with the Los Angeles County Flood Control District's Flood Fund and Public Works' Road Fund Budgets. Under the anticipated workload, the Flood Fund is anticipated to provide approximately 60 to 70 percent of the agreement's cost; the Road fund is anticipated to provide the remaining 30 to 40 percent of the cost. Funds for anticipated services will be budgeted in each fiscal year throughout the term of the agreement. The term of the agreement will commence on the date of the Notice to Proceed for the agreement. If the one-year term starts during Fiscal Year (FY) 2013-14, financing is available in the FY 2013-14 recommended budget. If the single two-year contract extension option is exercised, financing will be requested through the annual budget process. Should additional work be required, or increases in the CPI or CDFW salaries or overhead exceed the amount authorized, we will return to the Board.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard CDFW contract for services agreement, in the form previously approved by CDFW counsel and County Counsel, will be used.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are not a project pursuant to CEQA because they are activities that are excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. The proposed action, to establish a contract services agreement for anticipated future projects, is an administrative activity of government, which will not result in direct or indirect changes to the environment. We will return to the Board as necessary for consideration of appropriate environmental documentation pursuant to CEQA prior to any commencement of any activities under the agreement that may constitute a project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects as a result of authorizing the recommended contract services agreement. This agreement will provide environmental compliance services in an efficient manner by enhancing the delivery of Public Works projects.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Water Resources Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:CS:abc

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office